

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In Re Application of:

Moore

Serial No.: 10/642,309

Filed: August 18, 2003

For: Operating System for Executing Computer Software Applications

Confirmation Number: 1974

Group Art Unit: 2194

Examiner: Wu, Qing Yuan

Docket No.: 060707-1330

**PETITION UNDER 37 C.F.R. § 1.47 TO ACCEPT FILING OF APPLICATION MADE ON
BEHALF OF AN INVENTOR WHO CANNOT BE FOUND OR REACHED AFTER DILIGENT
EFFORT**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Assignee (**Conexant Systems, Inc**) of the above-referenced patent application, hereby petitions to accept the filing of U.S. utility application, having serial no. 10/642,309, filed on August 18, 2003, said filing made on behalf of the sole inventor **Mark Justin Moore**. At the time of filing, Mark Justin Moore executed a declaration (Exhibit A), which was denied by the U.S. Patent and Trademark Office (USPTO). Despite Applicant's arguments regarding the sufficiency of the executed Declaration, the USPTO was unwilling to accept the Declaration. Since filing of the Declaration, Mark Justin Moore has ceased his employment with the Assignee and has been unreachable, as indicated below.

Pursuant to 37 C.F.R. § 1.47, enclosed is a copy of the filed Declaration (Exhibit A), proof that the sole inventor, Mark Justin Moore, is unreachable (Exhibit C), the required fee under 37 C.F.R. § 1.17 (h), and the last known address of sole inventor.

In response to the guidance provided by the Office of Petitions, and as required by MPEP 409.03 (d), Petitioner submits the following in an effort to address the suggestions of MPEP 409.03 (d):

Exhibit A The original executed Declaration.

Exhibit B Assignment data, as follows:

Exhibit B1 Executed Assignment from Mark Justin Moore to Globespan Virata;

Exhibit B2 Assignment data from PAIR illustrating Assignment from Globespan Virata to Brooktree Broadband Holding Inc.;

Exhibit C Copies of documentary evidence, as follows:

Exhibit C1 E-mail string from Patricia Dailey (pdailey@ikanos.com) to Lucy Cooney (Lucy.Cooney@Conexant.com) on October 20, 2009, showing an e-mail that Patricia Dailey sent to Mark Justin Moore on October 30, 2008;

Exhibit C2 E-mail string from Patricia Dailey (pdailey@ikanos.com) to Lucy Cooney (Lucy.Cooney@Conexant.com) on October 20, 2009, showing an e-mail that Patricia Dailey sent and was looking for Mark Justin Moore on February 10, 2009;

Exhibit C3 E-mail to last known e-mail addresses of Mark Justin Moore;

Exhibit C4 E-mail to co-workers of Mark Justin Moore at Assignee requesting contact information of Mark Justin Moore;

Exhibit C5 E-mail string from Mark Justin Moore's co-workers at Assignee stating the contact information they have;

Exhibit C6 An Internet search on the inventor, Mark Justin Moore;

Exhibit C7 Declaration from Kristina L. Schafer.

Insofar as Petitioner has met all of the requirements of MPEP 409.03(d), Petitioner respectfully requests the granting of this petition.

Summary

The present application was filed with a Declaration (Exhibit A) on August 18, 2003. At that time Mark Justin Moore was employed by Globespan Virata and the present application was assigned accordingly (Exhibit B1). Mark Justin Moore was employed by Globespan Virata until December 10, 2002. Two years later Conexant Systems, Inc. and Globespan Virata merged and the present application was assigned to Brooktree Broadband Holding, Inc., which is a wholly owned subsidiary of Conexant Systems, Inc. (Exhibit B2). The Assignee's records show a last known address for Mark Justin Moore as 7 George Street, Cambridge, CB 4 1AL, UK.

The USPTO first rejected the Declaration in a Office Action mailed July 2, 2007 because "The oath or declaration is defective because: It does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought." During prosecution, the Assignee's attorney, Anthony Bonner, argued against this assessment of the filed Declaration, with no success.

Despite the validity of Mr. Bonner's arguments, the Assignee has attempted to locate Mark Justin Moore to execute a new declaration. More specifically, Patricia Dailey (Conexant Employee at the time of filing) sent an email to Mark Justin Moore on October 30, 2008 requesting his signature on the new Declaration (Exhibit C1). When Ms. Dailey did not receive a response she sent an email on February 10, 2009 to the general mail box for the company Mark Justin Moore was believed to be employed by (Exhibit C2). After still not receiving a response to this email, Mr. Bonner sent an email to Mark Justin Moore on October 23, 2009

requesting his signature (Exhibit C3). Mr. Bonner also sent an email to Brian Knight and Martin Jackson (Mark Justin Moore's co-workers while Mr. Moore worked at the Assignee) on October 23, 2009 requesting Mark Justin Moore's current contact information (Exhibit C4). On October 26, 2009 Brian Knight replied to Mr. Bonner's email with the same contact information Patricia Dailey and Anthony Bonner had used in previous attempts to locate Mr. Moore (Exhibit C5). At this time, Anthony Bonner performed multiple Internet searches for Mark Justin Moore (Exhibit C6) with only three telephone numbers being found. Anthony Bonner then asked Kristina Schafer to contact Mark Justin Moore at the three numbers found in the search. On three separate occasions, Kristina Schafer attempted to contact Mark Justin Moore at each of the numbers provided by the search with no success (Exhibit C7).

For at least the reason that the Assignee has diligently attempted to locate the sole inventor, Mark Justin Moore, Assignee respectfully requests a grant of this petition. No additional fee is deemed to be payable in connection with this Petition other than those fees included with this Petition. Should any additional fee be required, you are hereby authorized to charge any such additional fee to Deposit Account No. 50-0835.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anthony F. Bonner Jr.', written over a horizontal line.

Anthony F. Bonner Jr. Reg. No. 55,012

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1500
600 Galleria Parkway SE
Atlanta, Georgia 30339
(770) 933-9500

EXHIBIT A**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

I, the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPERATING SYSTEM FOR EXECUTING COMPUTER SOFTWARE APPLICATIONS

the specification of which: ☐ is attached hereto.

☒ was filed on: **August 18, 2003**

as United States Application No.: **10/642,309**

or PCT International Application No.: _____

and was amended on: _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

And I hereby authorize and request our agents, Hunton & Williams, whose address is set forth below, to insert above, if necessary, the filing date and application number of said application when known.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Application Number	Country	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

HUNTON & WILLIAMS
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone); (202) 778-2201 (facsimile)

Prior Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/403,660	August 16, 2002

Prior United States Application(s)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned

And I hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the Hunton & Williams attorneys and agents associated with

CUSTOMER NUMBER**21967**

All correspondence and telephone communications should be addressed to:

CUSTOMER NUMBER**21967**

corresponding to the law firm of Hunton & Williams; Intellectual Property Department; 1900 K Street, N.W.; Suite 1200; Washington, DC 20006-1109; telephone number (202) 955-1500; facsimile number (202) 778-2201.

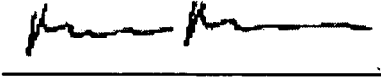
HUNTON & WILLIAMS
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone); (202) 778-2201 (facsimile)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

NAME OF FIRST INVENTOR:

A petition has been filed for this unsigned inventor

Signature



Date

May 25, 2004

Given Name

(first and middle (if any))

Mark JustinFamily Name
or Surname**MOORE**

Citizenship:

British

Residence

(City, State):

Cambridge, UK

Mailing Address:

7 George Street, Cambridge CB4 1 AL UK

EXHIBIT B1

Docket No. 060707-1330 (GV 216)
Page 1 of 3
(Patent Assignment)

ASSIGNMENT OF UTILITY PATENT APPLICATION

WHEREAS, the following parties:

Name

Address

Mark Justin Moore

C/Ferlandina 43 - 4^o2^a, 08001 Barcelona, Spain

hereinafter referred to as ASSIGNOR, has/have invented certain new and useful improvements ("invention(s)") as described and set forth in the below-identified utility application for United States Letters Patent entitled:

OPERATING SYSTEM FOR EXECUTING COMPUTER SOFTWARE APPLICATIONS

which was:

executed on even date herewith,
filed with the United States Patent and Trademark Office (USPTO) on
08/13/2003, and assigned Serial No. 10/642,309, and
further described in the U.S. Provisional application filed with the USPTO on
08/16/2002, and assigned Serial No. 60/403,660

Note: Only one of the first two checkboxes will be checked. The third checkbox will be checked, only if appropriate.

WHEREAS, GlobespanVirata Incorporated, having a place of business at 100 Schulz Drive, Red Bank, NJ 07701 USA, hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNOR'S interest in and to said invention(s), said utility application, said provisional application, and any U.S. and foreign patents which are related to the same.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by ASSIGNOR, ASSIGNOR has sold, assigned and transferred and does hereby sell, assign and

transfer unto ASSIGNEE, and ASSIGNEE'S successors and assigns, (a) the entire right, title and interest, for the United States of America, in and to said invention(s), said utility application, and said provisional application and all the rights and privileges in any application and under any and all patents that may be granted in the U.S. for said inventions, including all corresponding provisional, continuation, continuation-in-part, divisional, reissue, and reexamination applications; and (b) the entire right, title and interest in and to said invention(s), said utility application, and said provisional application for all countries foreign to the U.S., including all rights of priority arising from them, and all the rights and privileges under any and all forms of protection, including patents, that may be granted in said countries foreign to the U.S. for them.


ASSIGNOR authorizes ASSIGNEE to make application for such protection in its own name and maintain such protection in any and all countries foreign to the U.S., and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from ASSIGNOR, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

ASSIGNOR hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said inventions, said utility application, or said provisional application and to claim the aforesaid benefit of the right of priority.

ASSIGNOR requests that any and all patents for said inventions be issued to ASSIGNEE in the U.S. and to ASSIGNEE in all countries foreign to the U.S., or to such nominee as ASSIGNEE may designate.

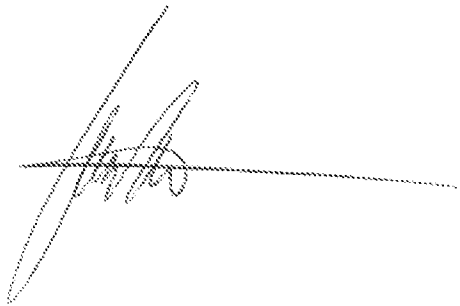
ASSIGNOR covenants and agrees that, when requested, ASSIGNOR shall, without charge to ASSIGNEE but at ASSIGNEE'S expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable, or convenient in connection with the patent applications, patents, or other forms of protection of said invention(s), and for the defense and protection thereof if challenged in the court of law.

ASSIGNOR authorizes ASSIGNEE or its agents to insert, on ASSIGNOR'S behalf, the filing date and/or serial number above pertaining to the utility application and/or the provisional application, if not known as of the date of execution of this document.



Mark Justin Moore

Date: 14th October 2008



Witness: Marco Madella

Date: 14th October 2008



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10/642,309

Operating system for executing computer software applications

**Assignments Data****Patent Assignment Abstract of Title****Total Assignments: 2**

Application #: 10642309

Filing Dt: 06/18/2003

Patent #: NONE

Issue Dt:

PCT #: NONE

Publication #: US20060168589

Pub Dt: 07/27/2006

Inventor: Mark Justin Moore

Title: Operating system for executing computer software applications

Assignment: 1

Reel/Frame: 018826 / 0939

Received: 02/01/2007

Recorded: 02/01/2007

Mailed: 02/01/2007

Pages: 14

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: GLOBESPANVIRATA, INC.

Exec Dt: 02/28/2004

Assignee: BROOKTREE BROADBAND HOLDING, INC.

4000 MACARTHUR BLVD
NEWPORT BEACH, CALIFORNIA 92660**Correspondent:**DENNIS HOPKINS
CHADBOURNE & PARKE LLP
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112**Assignment: 2**

Reel/Frame: 018573 / 0337

Received: 11/21/2006

Recorded: 11/21/2006

Mailed: 12/04/2006

Pages: 47

Conveyance: SECURITY AGREEMENT

Assignor: BROOKTREE BROADBAND HOLDING, INC.

Exec Dt: 11/13/2006

Assignee: BANK OF NEW YORK TRUST COMPANY, N.A., THE
227 WEST MONROE, SUITE 2600
ATTN: CORPORATE TRUST ADMINISTRATION
CHICAGO, ILLINOIS 60606**Correspondent:**DANIEL SHERIDAN
CHADBOURNE & PARKE LLP
30 ROCKEFELLER PLAZA
NEW YORK, NEW YORK 10112

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EXHIBIT C1

Schafer, Tina

From: Patricia Dailey [pdailey@ikanos.com]
Sent: Tuesday, October 20, 2009 10:32 AM
To: Lucy Cooney
Subject: FW: Need one more signature for patent application 10/642,309
Attachments: 20060168589.pdf; GV216 new declaration.pdf



20060168589.pdf GV216 new
f (2 MB) clation.pdf (111

The declaration I last sent to him.

-----Original Message-----

From: Patricia Dailey
Sent: Thursday, October 30, 2008 1:07 PM
To: 'Mark Moore'
Cc: Dennis Gallagher; Haw-minn Lu
Subject: Need one more signature for patent application 10/642,309

Re: U.S. Patent Application No. 10/642,309; filed August 18, 2003 (copy attached)
Title: Operating System for Executing Computer Software Applications

Hi Mark,

The Declaration that you signed and sent to me somehow scrambled words in the first paragraph when you added your address, and I need to ask you to sign it again. I have used a different form this time, and all you need to do is print it out, if correct, sign and date and email to me. Or via fax is fine; see my fax number below.

If you have questions, let me know. Thanks again.

Best regards,

Pat Dailey
IP Paralegal - Conexant Systems, Inc.
100 Schulz Drive
Red Bank, NJJ 07701
Tel: 732.345.6603
Fax: 866.413.4994

EXHIBIT C2

Schafer, Tina

From: Patricia Dailey [pdailey@ikanos.com]
Sent: Tuesday, October 20, 2009 10:30 AM
To: Lucy Cooney
Subject: FW: I am looking to contact Mark Moore
Attachments: GV216 new declaration.pdf

The latest. Never heard back.

From: Patricia Dailey
Sent: Tuesday, February 10, 2009 11:55 AM
To: 'information@alquanto.com'
Subject: I am looking to contact Mark Moore

Please forward this message to Mark Moore. If you can, please respond back to me with Mark's contact information in Spain. Much appreciated.

Cheers!

Pat Dailey
IP Paralegal
Conexant Systems, Inc.
100 Schulz Drive, Red Bank, NJ 07701
Tel (732) 345-6603
Fax (866) 413-4994

-----previous message-----

Addressed to mark.moore@alquanto.com

Re: U.S. Patent Application No. 10/642,309; filed August 18, 2003 (copy attached)
Title: Operating System for Executing Computer Software Applications

Hi Mark,

The Declaration that you signed and sent to me somehow scrambled words in the first paragraph when you added your address, and I need to ask you to sign it again. I have used a different form this time, and all you need to do is print it out, if correct, sign and date and email to me. Or via fax is fine; see my fax number below.

If you have questions, let me know. Thanks again.

Best regards,

Pat Dailey
IP Paralegal - Conexant Systems, Inc.
100 Schulz Drive
Red Bank, NJJ 07701
Tel: 732.345.6603
Fax: 866.413.4994

11/5/2009

EXHIBIT C3

Schafer, Tina

From: Bonner, Tony
Sent: Friday, October 23, 2009 1:11 PM
To: 'mark@alquanto.com'
Cc: 'information@alquanto.com'; 'Lucy Cooney'; Campbell, Julie; Schafer, Tina
Subject: 10/642,309 (060707-1330/GV216) patent application documents
Attachments: Original Declaration as filed (00649798).PDF; Drawings (01039859).PDF; Application (01039773).PDF; New Assignment (01039855).PDF; New Declaration (01039854).PDF

Mr. Moore,

My name is Tony Bonner. I am a patent attorney with the law firm of Thomas|Kayden. I am currently prosecuting a patent application (Serial Number 10/642,309) on which you are an inventor. Apparently, when the case was filed, there was a slight error in the documents that you signed and the US Patent Office is requesting that you re-sign these documents. While we can proceed without this signature, it would be much easier for everyone if you could re-sign the attached documents (with witness signatures where appropriate). For your convenience, I have attached the filed application, a new assignment, and a new declaration for you to sign. If you could review the application to ensure that this is the application that represents your invention and (if this is that application), sign the attached declaration (including filling in your address and citizenship) and assignment, I would sincerely appreciate it. Return via fax or email will be the easiest method of response.

If you have any questions whatsoever, feel free to contact me at any time. Thanks so much.

Tony Bonner

Thomas | Kayden

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP

600 Galleria Pkwy SE
Suite 1500
Atlanta, Georgia 30339-5994
Phone: (770) 933-9500
Fax: (770) 951-0933
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EXHIBIT C4

Schafer, Tina

From: Bonner, Tony
Sent: Friday, October 23, 2009 4:36 PM
To: 'brian.knight@adventiq.com'; 'martin.jackson@artimi.com'
Cc: Schafer, Tina; 'Lucy Cooney'; Campbell, Julie
Subject: Contact Information for Mark Justin Moore

Brian, Martin,

My name is Tony Bonner. I am a patent attorney with the law firm of Thomas|Kayden. I am currently prosecuting a patent application (Serial Number 10/642,309) on which Mark Justin Moore is an inventor. Apparently, when the case was filed, there was a slight error in a document that Mr. Moore signed and the US Patent Office is requesting that Mr. Moore re-sign this document. While we can proceed without this signature, it would be much easier for everyone if we could locate him to re-sign the document. As I understand it, both of you were once co-workers of Mr. Moore. If you have any contact information for him that you can send to me, I would sincerely appreciate it. If you don't have any such information, I would appreciate a response email indicating this.

Thanks in advance.

Tony Bonner

Thomas | Kayden

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP

600 Galleria Pkwy SE
Suite 1500
Atlanta, Georgia 30339-5994
Phone: (770) 933-9500
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EXHIBIT C5

Schafer, Tina

From: Bonner, Tony
Sent: Monday, October 26, 2009 8:05 AM
To: 'Brian Knight'
Cc: Schafer, Tina; 'Lucy Cooney'; Campbell, Julie; 'martin.jackson@artimi.com'
Subject: RE: Contact Information for Mark Justin Moore

Thanks Brian. I appreciate it.

From: Brian Knight [mailto:brian.knight@adventiq.com]
Sent: Monday, October 26, 2009 6:50 AM
To: Bonner, Tony
Cc: Schafer, Tina; Lucy Cooney; Campbell, Julie; martin.jackson@artimi.com
Subject: RE: Contact Information for Mark Justin Moore

Tony,

I haven't been in touch with Mark for a few years, but I think the email address mark@alquanto.com should still work.

Regards,

-- Brian

From: Bonner, Tony [mailto:Tony.Bonner@tkhr.com]
Sent: 23 October 2009 21:36
To: Brian Knight; martin.jackson@artimi.com
Cc: Schafer, Tina; Lucy Cooney; Campbell, Julie
Subject: Contact Information for Mark Justin Moore

Brian, Martin,

My name is Tony Bonner. I am a patent attorney with the law firm of Thomas|Kayden. I am currently prosecuting a patent application (Serial Number 10/642,309) on which Mark Justin Moore is an inventor. Apparently, when the case was filed, there was a slight error in a document that Mr. Moore signed and the US Patent Office is requesting that Mr. Moore re-sign this document. While we can proceed without this signature, it would be much easier for everyone if we could locate him to re-sign the document. As I understand it, both of you were once co-workers of Mr. Moore. If you have any contact information for him that you can send to me, I would sincerely appreciate it. If you don't have any such information, I would appreciate a response email indicating this.

Thanks in advance.

Tony Bonner

Thomas | Kayden

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP

600 Galleria Pkwy SE

Suite 1500

Atlanta, Georgia 30339-5994

Phone: (770) 933-9500

Fax: (770) 951-0933

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teach with **Mark Justin Moore** at Fleming County HS, while Jeff dream destinations are **Spain**, Argentina, and Mongolia. ...

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Suggestions:

- Make sure all words are spelled correctly.
- Try different keywords.
- Try more general keywords.
- Try fewer keywords.

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**NO RESULT FOUND**

We apologise, no entries were found for "**Mark Moore**"

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Fill in at least one of the three fields:

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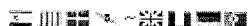
indicate, at least, the province:

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Individuals and Companies

Fill in at least one of the three fields:

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Mark

1st Surname

Moore

2nd Surname**Public Organisms**

Indicate, at least, the province:

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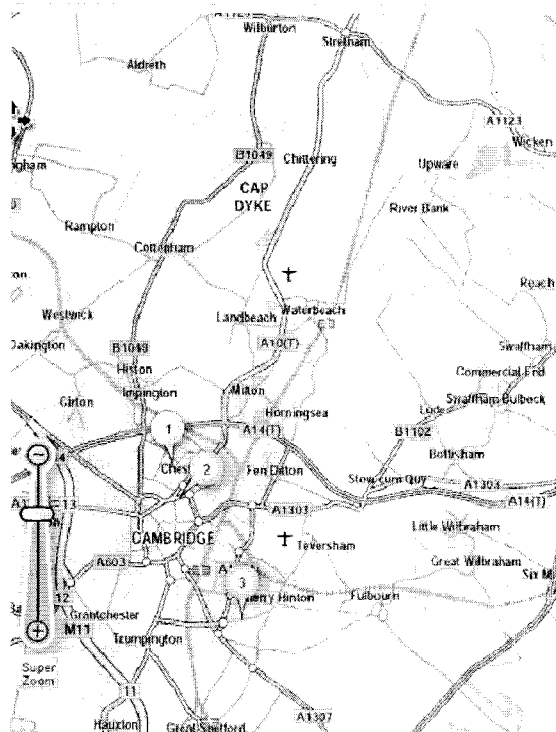
indicate, at least, the province:

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1	M Moore	87 Alex Wood Road, Cambridge, Cambridgeshire, CB4 2EG	01223 523 811
2	M Moore	7 George Street, Cambridge, Cambridgeshire, CB4 1AL	01223 571 700
3	M Moore	103 Queen Ediths Way, Cambridge, Cambridgeshire, CB1 8PL	01223 244 202

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In Re Application of:

Moore

Serial No.: 10/642,309

Filed: August 18, 2003

For: Operating System for Executing Computer Software Applications

Confirmation Number: 1974

Group Art Unit: 2194

Examiner: Wu, Qing Yuan

Docket No.: 060707-1330

EXHIBIT C7:

**DECLARATION IN SUPPORT OF PETITION UNDER 37 C.F.R. § 1.47 TO ACCEPT
FILING OF APPLICATION MADE ON BEHALF OF AN INVENTOR WHO CANNOT BE
FOUND OR REACHED AFTER DILIGENT EFFORT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

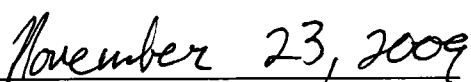
I, Kristina Schafer, declare as follows:

1. I am an employee Thomas, Kayden, Horstemeyer, & Risley, LLP ("TKHR"), a law firm providing legal services to Conexant, the assignee of the 10/642,309 patent application.
2. On October 28, 2009 at 10:05 a.m., October 30, 2009 at 9:30 a.m., and November 3, 2009 at 8:45 a.m. I tried to contact Mark Justin Moore at the three numbers provided in Exhibit C6. Every attempt was unanswered and no voicemail was set up on any of the numbers.

DECLARATION

I hereby declare that all statements made herein are of my own knowledge are true and that all statements are made on information and belief and are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Kristina Schafer


Date